

PROSECUTOR MAY NOT FIGHT FRANK'S PLEA

*Dorsey Disposed to Rest on
Brief Unless Attacked Before
Pardon Board.*

Special to The New York Times.

ATLANTA, Ga., May 27.—Whether Solicitor General Hugh M. Dorsey will appear in person before the Georgia Prison Commission next week to oppose clemency to Leo M. Frank will depend, it is said, upon the attitude of the Prison Commission toward Mr. Dorsey's reply to the appeal for commutation and the attitude of the Frank lawyers. Mr. Dorsey himself says he is undecided. It is understood, however, that if the Prison Board gives his written reply to the Frank appeal full and thorough consideration, and if the attorneys for Frank do not attempt to impugn the motives of the prosecution, Mr. Dorsey will not actively oppose the commutation plea.

Additional Georgia jurists today joined in the plea to the Prison Commission and the Governor to commute the sentence; written arguments were submitted by Spencer R. Atkinson, ex-Justice of the Georgia Supreme Court and a member of the State Legislature, and Judge E. C. Kontze, a prominent Atlantan. A. L. Miller, ex-Judge of the Superior Court of Macon, also has written to Governor Slaton and the Prison Board in Frank's behalf.

A strong delegation will come from Savannah Monday to appeal to the Prison Board when it takes up the Frank hearing. It will be headed by Samuel B. Adams, ex-Justice of the State Supreme Court; A. A. Lawrence, State Senator-elect, and T. Mayhew Cunningham, a prominent jurist.

The New York Times

Published: May 28, 1915

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